FILED

08 MAR 10 AM 11:57

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: CP DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

CASE NUMBER: '08 MJ 0749

The person charged as ZATARAN, Lorena now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the District of Las Vegas, Nevada on 3/7/08 with Title 18 USC 3583, in violation of:

Supervised Release Violation

The charging documents and the warrant for the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 3/10/08

Ben Locke
CI -Deputy United States Marshal

Reviewed and Approved

DATE:

Assistant United States Attorney

AO 442 (Rev. 10/03) Warrant for Arrest FID 1459210

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

V.

Lorena Zataran

WARRANT FOR ARREST

Case Number: 2:04-CR-286-KJD-LRL

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Lorena Zataran
Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Probation Violation Petition ☑ Supervised Release Violation Petition ☐ Violation Notice

charging him or her with (brief description of offense)

Violation of conditions of supervised release/probation.

in violation of Title 18 United States Code, Section(s) 3583

2008 MAR -7 P 3: 55

LANCE S. WILSON
CLERK

3/7/2008 Las Vegas, Nevada
DATE

Lance S. Wilson
(By) DEPUTY CLERK

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

Prob12C
D/NV Form
Rev. Mar. 2007

United States District Court

for

the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **LORENA ZATARAN**

Case Number: **CR-S-04-0286-KJD(LRL)**

Name of Sentencing Judicial Officer: Honorable Kent J. Dawson

Date of Original Sentence: July 1, 2005

Original Offense: Conspiracy to Distribute Controlled Substance

Original Sentence: 37 months custody, 5 years supervised release

Date Supervision Commenced: December 27, 2006

Date Jurisdiction Transferred to District of Nevada: N/A

PETITIONING THE COURT

✓ To issue a warrant

__ To issue a summons

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Deportation Compliance - If deported, you shall not reenter the United States without legal authorization.**

Zataran was released from Bureau of Prisons custody on December 27, 2006 to an Immigration and Customs Enforcement (ICE) detainer and was subsequently deported to Mexico. On March 4, 2008, Zataran reentered the United States by way of Tecate, California, and was arrested by agents of the United States Border Patrol. The offender did not have legal authorization to reenter the United States.

Prob12C
D/NV Form
Rev. Mar. 2007

RE: LORENA ZATARAN

2. **The defendant shall not commit another federal state or local crime.**

Zataran was released from Bureau of Prisons custody on December 27, 2006 to an ICE detainer and was subsequently deported to Mexico. On March 4, 2008, Zataran entered the United States by way of Tecate, California, and was arrested by agents of the United States Border Patrol. The offender did not have legal authorization to reenter the United States.

U. S. Probation Officer Recommendation:

The term of supervision should be:

_✓_ Revoked

___ Extended for _____ months, for a total term of _____ months

__ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the information contained herein is true and correct.

Executed on March 4, 2008.

REBECCA L. CAPSTICK
United States Probation Officer

APPROVED:

CHAD R. BOARDMAN
Supervising United States Probation Officer

Prob12C
D/NV Form
Rev. Mar. 2007

RE: LORENA ZATARAN

THE COURT ORDERS:

______ No action

__X__ The issuance of a warrant

______ The issuance of a summons

______ Other

Signature of Judicial Officer

3/6/08

Date

Prob12C
D/NV Form
Rev. Mar. 2007

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. LORENA ZATARAN, CR-S-04-0286-KJD(LRL)

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
March 4, 2008

On December 27, 2006, Zatarain was released from Bureau of Prisons custody to an Immigration and Customs enforcement detainer and was subsequently deported to Mexico.

On March 4, 2008, Zatarain was found in the United States by U.S. Border Patrol Agents performing patrol operations in the vicinity of Tecate, California. Zatarain was found to have re-entered the United States without legal authorization. Zatarain is currently in U.S. Department of Homeland Security custody pending reinstatement of a prior order of removal.

It is respectfully recommended that a warrant be issued for the offender's arrest and that she remain in custody pending the revocation hearing.

Respectfully submitted,

Rebecca L. Capstick
REBECCA L. CAPSTICK
United States Probation Officer

APPROVED: CRBoardman
CHAD R. BOARDMAN
Supervising United States Probation Officer

BORDER PATROL
REPORT OF APPREHENSION OR SEIZURE

Office or Agency	
U.S. MARSHAL U.S. MARSHAL 940 FRONT STREET SAN DIEGO, CALIFORNIA 92189	File Case No: BRF0803000118 A092 938 015 Sector SDC/BRF/CCU Date 03/04/2008

Patrol Agents JAROD DITTMAN of the BROWN FIELD station

☐ assisted the ______ (Agency) ______ (City and State)

in the apprehension ~~and seizure~~ of the following:

☒ apprehended/interviewed:

Name (Surname in CAPS) First Middle	Date and Place of Birth
*ZATARAIN, Lorena Beatriz	05/21/1973 TIJUANA, BAJA CALIFORNIA, MEXICO
Address of person apprehended/interviewed	Nationality MEXICO

☐ and seized/recovered

VESSEL, VEHICLE OR AIRCRAFT

Description (Year, Make Model, Color)	Motor or Serial No.	Registry or License No.	Value (Est.)

CONTRABAND, MERCHANDISE OR OTHER

Quantity	Description	Value (Est.)

Place of Apprehension or Seizure	Date and Hour	Offense
JAMUL, CALIFORNIA	03/04/2008 0555	Entry Without Inspection/Supervised Release Violation

NARRATIVE: (Include Circumstances of apprehension and seizure and facts to which apprehending officers can testify.)

...(CONTINUED ON I-831)

DAVID RAMIREZ [signature]
Signature of Reporting Officer

Received above persons and items:

U.S. MARSHAL DEPUTY [signature]
Signature and Title

U.S. MARSHAL SERVICE
Office or Agency

Date

Details regarding "HOLD" placed
* Indicates detainer was issued

U.S. Department of Homeland Security | Continuation Page for Form I44

Alien's Name	File Number	Date
ZATARAIN, Lorena Beatriz	A092 938 015 Event No: BRF0803000118	03/04/2008

Narrative Title: Report of Apprehension or Seizure

On March 4, 2008, Border Patrol Agent Jarod Dittman was assigned to Border Patrol Operations in the vicinity of the Tecate, California. This area is lightly populated and is immediately adjacent to the Tecate California Port of Entry, and to include the International Border Boundary between Mexico and the United States.

At approximately 5:50 a.m., Agent Dittman responded to a National Guard Scope sighting of an individual running from an area known as Mission Dip. Illegal aliens use this area in order to further their illegal entry into the United States. Agent Dittman arrived at the area where the individual was last sighted and followed the scope's guidance to a parking lot, in an area between El Cajon's Border Patrol Station and a store known as T.C. Worhy's. Upon arriving at the Black SUV, Agent Dittman immediately found the individual which had absconded, to include three other female individuals, of which one later identified herself as ZATARAIN, Lorena Beatriz, who freely admitted to being a citizen and national of Mexico and that she did not possess any documents allowing her to enter or to remain in the United States legally. The subject was arrested and transported to the Brown Field Border Patrol Station for processing.

At the Brown Field Station, ZATARAIN, Lorena Beatriz was entered into processing systems, which produced a red/ blue activation. Record checks revealed the following criminal and immigration histories:

CRIMINAL HISTORY:
FBI#: 302888CB1
SID#: CA11305935

IMMIGRATION HISTORY:
A#: 092 938 015

On March 4, 2008 at approximately 10:00 am, I Border Patrol Agent Jarod Dittman advised ZATARAIN of her right to speak to a consular officer representing her country of citizenship (Mexico) in the Spanish language, which she denied to do so at this time. ZATARAIN stated that she understood her right, but did not wish to do so. Senior Patrol Agent Blake Finlay witnessed the event.

ZATARAIN again stated that she illegally entered the United States. ZATARAIN stated that she walked across the international border at Tecate, California.

ZATARAIN stated that she does not have any immigration documents that would allow her to legally enter or remain in the United States.

ZATARAIN claimed no fear of persecution or torture if returned to her native country of Mexico.

ZATARAIN was served with Agency forms I-871 and I-215B.

ZATARAIN is being held in DHS custody pending Reinstatment of a Prior Order of Removal.

*******************************ADDENDUM*****************************
On March 4, 2008 the U.S. Border Patrol's Career Criminal Unit was contacted regarding ZATARAIN. Through routine records checks ran initially at the Brown Field Border Patrol Station...(CONTINUED ON NEXT PAGE)

Signature	Title
[signature] DAVID RAMIREZ	BORDER PATROL AGENT

U.S. Department of Homeland Security

Continuation Page for Form I44

Alien's Name	File Number	Date
ZATARAIN, Lorena Beatriz	A092 938 015 Event No: BRF0803000118	03/04/2008

in Otay Mesa, California, it was revealed that ZATARAIN was possibly on supervised release for a 2005 21 USC 846/841 Conspiracy to Distribute Methamphetamine charge. ZATARAIN's prints were sent for further verification which confirmed her identity. Agent L. Hickey ((702)388-6529) of the U.S. Probation's office in Las Vegas was contacted regarding ZATARAIN. Agent Hickey confirmed that ZATARAIN was in violation of her supervised release conditions for reentering the United States of America illegally. Agent Hickey issued a warrant for ZATATRAIN. ZATARAIN will be turned over to the U.S. Marshal Service for extradition to Las Vegas, Nevada.

Signature	Title
DAVID RAMIREZ	BORDER PATROL AGENT

U.S. Department of Homeland Security

Immigration Detainer – Notice of Action

Subject ID : 270103526

Event No: BRF0803000118

File No. A092 938 015

Date: March 6, 2008

TO: (Name and title of institution)	From: (Office address)
U.S. MARSHAL SERVICE OR ANY OTHER SUBSEQUENT LAW ENFORCEMENT AGENCIES 940 FRONT STREET SAN DIEGO, CA 92189	OI SAC SAN DIEGO DHS/ICE 880 FRONT ST 619-557-6955 619-557-6957 F SAN DIEGO, CA 92101

Name of alien: ZATARAIN, Lorena Beatriz

State Criminal Number :CA11305935 FBI 30288\CB1...(MISCELLANEOUS NUMBERS CONTINUED ON I-831)

Date of birth: 05/21/1973 Nationality: MEXICO Sex: F

You are advised that the action noted below has been taken by the U.S. Department of Homeland Security concerning the above-named inmate of your institution:

☐ Investigation has been initiated to determine whether this person is subject to removal from the United States.

☐ A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on ________ (Date).

☐ A warrant of arrest in removal proceedings, a copy of which is attached, was served on ________ (Date).

☒ Deportation or removal from the United States has been ordered.

It is requested that you:

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work, and quarters assignments, or other treatment which he or she would otherwise receive.

☒ Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sunday's and Federal holidays) to provide adequate time for DHS to assume custody of the alien. You may notify DHS by calling 619-557-6955 during business hours or 619-557-6954 after hours in an emergency.

☐ Please complete and sign the bottom block of the duplicate of this form and return it to this office. ☐ A self-addressed stamped envelope is enclosed for your convenience. ☐ Please return a signed copy via facsimile to ________ (Area code and facsimile number)

Return fax to the attention of ________ (Name of officer handling case), at ________ (Area code and phone number).

☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.

☒ Notify this office in the event of the inmate's death or transfer to another institution.

☐ Please cancel the detainer previously placed by this Office on ________

DAVID RAMIREZ [signature] (Signature of Immigration Officer) BORDER PATROL AGENT (Title of Immigration Officer)

Receipt acknowledged:

Date of last conviction: ________ Latest conviction charge: ________

Estimated release date: ________

Signature and title of official: ________

Form I-247 (Rev. 08/01/07)

U.S. Department of Homeland Security

Continuation Page for Form I247

Alien's Name	File Number	Date
ZATARAIN, Lorena Beatriz	A092 938 015 Event No: BRF0803000118	March 6, 2008

MISCELLANEOUS NUMBERS

BOP :39016-048

Signature	Title
DAVID RAMIREZ	BORDER PATROL AGENT

2 of 2 Pages

AFIS Use – Search Log # 334-03
[X] Alert
site code BRF

BSC West
Department of Homeland Security
2411 Boswell Road Chula Vista, CA 91914
(619) 498-9871, 9974 Phone (619) 498-9978 Fax

Criminal Search Notification

To: AGENT: FALLIS, IAN D. 8-72

Fax #: 661-9340

RE: SUBJECT: ZATARAIN, LORENO BEATRIZ

[ ] **No Match:** [ ] **IDENT** [ ] **FBI:** ____________

[ ] **NCIC Name Search** [ ] **Other:** ____________

[X] **Match:** [X] **IDENT** [X] **FBI** [X] **A-file** [ ] **Other:** ____________

Record Number(s) Verified By Fingerprints:

FINS 20210475 A92938015 (KC)

FBI: 302-888-CB1

Associated records (not verified by fingerprints):

~~A92938015~~

CA 11305935

[x] **Other Attachments/Comments:**

WAITING NRC PRINTS

[ ] **Sent to Latent Print Unit- LPU will forward any results ASAP**

LPU comments:

NCIC Wants/Warrants*: no X yes ____ Comments: ____________

Fingerprint Examiner F J WILSON

MAR 05 2008
Date

* Our office has limited access to warrant checks. Please check all additional avenues available to you.

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This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and discard the original. Any other use of the fax by you is prohibited.

United States Marshals Service
LIMITED OFFICIAL USE

WIN Message #35284793, sent on 03/10/2008 14:11
Subject: NCIC MSG, From: 098 - 3231

```
JNCIC 3638 14:17:02 03/10/08 YY NN JUUSM .

2L01JUUSM J00177043
CAUSM3000

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
INQUIRY ON NAM/ZATARAN,LORENA SOC/610246324 PUR/C
NAME                                FBI NO.          INQUIRY DATE
RATARAIN,LORENA                     302888CB1        2008/03/10

SEX RACE BIRTH DATE  HEIGHT WEIGHT EYES HAIR PHOTO
F   W    1972/05/21  507    125    BRO  BRO  Y

BIRTH PLACE
MEXICO

FINGERPRINT CLASS      PATTERN CLASS
DO 01 07 13 06         WU AU RS RS RS WU RS LS LS LS
DI 52 07 04 05            RS AU    AU    AU AU AU AU

ALIAS NAMES
JOHANKNECHT,LORENA NMN          LOPEZ,LORENA
RATARAIN,LRENA                  ZATARAIN,LORENA BEATRIZ
ZATARAIN,LORENE BEATRIZ         ZATARAN,LORENA
ZATARAN,LORENA NMN

OTHER        SCARS-MARKS-
BIRTH DATES  TATTOOS        SOCIAL SECURITY  MISC NUMBERS
1973/05/21   TAT UR ARM     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      AR-092938015
1973/05/22   TAT L BRST     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
             TAT BACK
             TAT GROIN
             TAT NECK

IDENTIFICATION DATA UPDATED 2008/03/04

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
FOLLOWING:
 CALIFORNIA      - STATE ID/CA11305935
 FBI             - FBI/302888CB1

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION
INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.
```

United States Marshals Service
LIMITED OFFICIAL USE

WIN Message #35284793, sent on 03/10/2008 14:11
Subject: NCIC MSG, From: 098 - 3231

END